

Words used in the EMS DNR Order Act and Form

Advanced directive

A written document voluntarily executed by the patient in accordance with the requirements of the law

Agent

A person acting under a Health Care Power of Attorney, executed or made in accordance with the provisions of Section 62-5-504 of SC law

Department

The South Carolina Department of Health and Environmental Control

EMS Personnel

The emergency medical service personnel certified by the Department. For EMS DNR purposes, EMS personnel include first responders who have completed a Department-approved Medical First Responder Program

Palliative Treatment

Treatment that provides comfort and alleviation of pain and suffering, administered in the routine delivery of emergency medical services

Resuscitative Treatment

Artificial stimulation of the cardiopulmonary systems of the human body, through mechanical, electrical or manual means including, but not limited to cardiopulmonary resuscitation (CPR)

Surrogate

A person authorized to give consent under the Health Care Consent Act in accordance with the provisions of Section 44-66-30 of SC law

Terminal Condition

An incurable or irreversible condition that, within sound medical judgment, could cause death within a reasonably short period of time (if life-sustaining procedures are not used)

To get blank copies of EMS DNR Forms

(doctors only),
or for more information, contact

S.C. DHEC
Division of Emergency Medical Services
2600 Bull Street, Columbia, SC 29201
Phone: (803) 545-4204
Web site: www.scdhec.gov/hr/ems



South Carolina Department of Health
and Environmental Control

www.scdhec.gov

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and the environment.*

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information for health professionals about the
DO NOT RESUSCITATE order

(EMS DNR Order Act)
SC Code Section 44-78-10



Are health personnel legally protected when executing an EMS DNR Order?

Yes. No health care provider or EMS personnel shall be held liable for any damages, be subject to disciplinary hearings, or be subject to civil or criminal liability if they

1. Issue an EMS DNR Order;
2. Rely, in good faith, on an EMS DNR Order that results in
 - a. The withholding of resuscitative treatment;
 - b. The withholding of resuscitative treatment already in progress, if an executed DNR order is found;
3. Initiate resuscitative treatment on a patient who has an executed EMS DNR Order if they were unaware of the existence of the Order or if, in good faith, they believed the Order was cancelled or revoked; or
4. Initiate resuscitative treatment on a patient who has an executed EMS DNR order if, in their best judgment, care was needed to relieve pain and suffering or to provide comfort.

What is the EMS DNR Order Act?

The EMS DNR Order Act allows emergency medical personnel to legally recognize and follow a terminally ill patient's wish to have EMS personnel withhold resuscitative treatment in the event of cardiopulmonary arrest, as outlined on the EMS DNR Form.

The EMS DNR Order Act applies only to resuscitative attempts by EMS personnel. The execution of other advance directives does NOT affect, and may not substitute for, the EMS DNR Order. The EMS DNR Order MUST be executed even if the patient has executed other advance directives.

Who should know about the EMS DNR Order Act?

- EMS personnel
- Doctors who authorize these Orders
- Patients
- Patient families
- Patient advocates
- Hospice and hospital personnel
- Nursing home administrators and staff
- Anyone involved in deciding on an EMS DNR Order

Who can ask for an EMS DNR Order?

Persons who can request an order are:

- Terminally ill adult patients who have the capacity to give informed consent
- Surrogates for terminally ill adult patients (provided by the Adult Health Care Consent Act)
- Agents of terminally ill patients named in a Health Care Power of Attorney

How can a patient get an EMS DNR Order?

A patient (or legal surrogate or agent) can get an EMS DNR Order from the doctor. The doctor's patient record must list the time, date, and medical condition that support the diagnosis of a terminal condition.

The form must be signed by both the patient (or legal patient representative) and the doctor. The form must list the doctor's name, address, and phone number.

How does the patient use an executed EMS DNR Form?

The patient must display the executed EMS DNR Form in the patient's primary dwelling in a location where the document is easily seen and recognized by EMS personnel. The form must be visible at all times and be located away from sun, rain, etc. The executed Form must not be altered or torn.

Should the patient wear an EMS DNR "marker" (bracelet or necklace)?

The patient is encouraged to wear a DHEC-approved ID bracelet or necklace that indicates the patient has an executed EMS DNR Form. The bracelet or necklace must be made of metal and list the patient's name, doctor's name and telephone number, and the words "Do not resuscitate" or the letters "DNR." Wearing a bracelet or necklace is not mandatory.

How does an EMS DNR Order work?

When EMS personnel report to the scene of an emergency call, they will assess the patient's condition. If the patient is wearing an EMS DNR bracelet or necklace, EMS personnel will make a reasonable effort to locate the EMS DNR Form and to make sure that the form applies to the person being assessed. If the EMS DNR Form is NOT found, EMS personnel will start resuscitative measures. If the Form is found after starting resuscitative measures, the measures will be stopped.

Can an EMS DNR Order be cancelled or revoked?

The EMS DNR Order can be cancelled at any time if

- The patient verbally asks EMS personnel for resuscitative measures
- The EMS DNR Form is mutilated or destroyed

If the Order is revoked, EMS personnel will perform full resuscitation and treatment of the patient.